

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

JOSEPH TRIPLETT **PETITIONER**

v. **No. 4:05CV129-P-B**

SUPERINTENDENT RONALD KING, ET AL. **RESPONDENTS**

ORDER

This matter comes before the court on the petition of Joseph Triplett for a writ of *habeas corpus* under 28 U.S.C. § 2254. The state has moved to dismiss the petition as untimely filed under 28 U.S.C. § 2244(d). The petitioner has argued that he hired an attorney to prosecute his federal petition for a writ of *habeas corpus*, but his attorney failed to take action on the case – and then told the petitioner and his family that the petition had been filed. The petitioner has prosecuted a bar complaint against the attorney regarding these allegations, and a hearing has been set in that matter for August 21, 2006. The court finds that this case should be stayed pending the outcome of the case before the Mississippi Bar Complaint Tribunal.

It is, therefore, **ORDERED** that the instant case is **STAYED** until the Mississippi Bar Complaint Tribunal decides the merits of the petitioner's allegations that his attorney failed to file a federal petition for a writ of *habeas corpus* after being paid to do so.

SO ORDERED, this the 22nd day of June, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE